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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ELTEYVIONNE ZACHARY CARLTON,

Defendant.

No. 3:23-mj-00574-KFR

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Seth McMillan, having been first duly sworn, do hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am an Anchorage Police Department Officer and Task Force Officer with the Federal Bureau of Investigation.
2. I make this affidavit in support of an application for a criminal complaint and arrest warrant pursuant to Federal Rules of Criminal Procedure 3 and 4. As explained more fully below, I have probable cause to believe that ELTEYVIONNE ZACHARY CARLTON has committed the following federal criminal offense:

Count 1: That on or about May 23, 2023, within the District of Alaska, at or near Anchorage, the defendant, ELTEYVIONNE ZACHARY CARLTON, having been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, did possess in or affecting interstate commerce one or more firearms and ammunition.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. Because the

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affidavit is intended to establish probable cause to support a complaint and secure an arrest warrant, I have not included each and every fact known to me concerning this investigation.

FACTS ESTABLISHING PROBABLE CAUSE

4. The following is based on a review of information regarding Anchorage Police Department case number 23-016605.

5. On or about May 23, 2023, Anchorage Police responded to a report of a shooting in Anchorage, within the District of Alaska. Initial investigation determined that the Defendant, ELTEYVIONNE ZACHARY CARLTON (“CARLTON”), was in a residence with an adult woman (Adult-1) and a 4-year-old child (Child-1). An adult man (Adult-2) arrived at the residence.

6. The witnesses, including the Defendant, provided conflicting information regarding what events precipitated the subsequent shooting. However, it is undisputed that CARLTON possessed a firearm and shot Adult-2 several times before fleeing the residence with Adult-1 and Child-1.

7. CARLTON retained the firearm as he fled the scene. After police stopped the vehicle, CARLTON admitted that he shot Adult-2.

8. Adult-1 told police that CARLTON brought the firearm to the residence.

9. Police found the firearm on the passenger side of the rear seat of the vehicle; Child-1 was in a car seat in the driver’s side of the rear seat. Evidence collected to-date indicates that the firearm found is the same firearm possessed by CARLTON and used by CARLTON to shoot Adult-2.

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10. The firearm is a Glock pistol. According to an ATF Nexus Report, the author, who is a recognized expert regarding interstate/foreign commerce of firearms and ammunition in the District of Alaska, opined that the pistol and associated ammunition were manufactured outside of Alaska, and, therefore, if the firearm and ammunition were received and/or possessed in the State of Alaska, they had to have traveled in and affected interstate or foreign commerce as defined in Title 18 U.S.C. § 921 (a)(2).

11. According to Judgments, CARLTON has been convicted of the following felony crimes punishable by more than one year in custody:

<u>Offense & Citation</u>	<u>Court Issuing Judgment</u>	<u>Number & Judgment Date</u>
Attempted Robbery in the First Degree; AS 11.31.100, 11.41.500(a)(1)	Superior Court for the State of Alaska at Anchorage	3AN-19-06020CR; April 24, 2023
Misconduct Involving Weapons in the Third Degree; AS 11.61.200(a)(1)	Superior Court for the State of Alaska at Anchorage	3AN-19-09056CR; April 24, 2023
Assault in the Third Degree; AS 11.41.220(a)(1)(A)	Superior Court for the State of Alaska at Anchorage	3AN-21-04619CR; April 24, 2023
Misconduct Involving Weapons in the Third Degree; AS 11.61.200(a)(1)	Superior Court for the State of Alaska at Anchorage	3AN-21-04619CR; April 24, 2023
Promoting Contraband in the First Degree – Controlled Substance; AS 11.56.375(a)(3)	Superior Court for the State of Alaska at Seward	3SW-22-00124CR; March 21, 2023

Evidence indicates that the Defendant pled guilty to some or all of the above felony crimes. Based on my training and experience, I submit that it is highly probable that a person who pleads guilty to a felony offense is aware that they have been convicted of a felony offense.

CONCLUSION

12. For the reasons described above, based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that ELTEYVIONNE ZACHARY CARLTON has committed the offenses described in the attached complaint. Accordingly, I ask the Court to issue the complaint and a warrant for ELTEYVIONNE ZACHARY CARLTON's arrest in accordance with Federal Rule of Criminal Procedure 4(a).

RESPECTFULLY SUBMITTED,



Seth McMillan
Anchorage Police Department Officer and Task
Force Officer, Federal Bureau of
Investigation

Affidavit submitted by email and attested to
me as true and accurate by telephone
consistent with Fed.R.Crim. P. 4.1
this day of , 2023. October 2, 2023



HON. KYLE F. REARDON
United States Magistrate Judge
District of Alaska

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